

FORM PTO-1390
(REV. 10-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

CP 942CPUS

**TRANSMITTAL LETTER TO THE UNITED STATES -
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C.371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/403075INTERNATIONAL APPLICATION
PCT/US99/02974INTERNATIONAL FILING DATE
12 February 1999 (12.02.99)PRIORITY DATE CLAIMED
13 February 1998 (13.02.98)

TITLE OF INVENTION

MEKK1 PROTEINS AND FRAGMENTS THEREOF FOR USE IN REGULATING APOPTOSIS

APPLICANT(S) FOR DO/EO/US

Gary L. JOHNSON

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C.371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371 (f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371 (b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau)
(82 sheets and 25 sheets of drawings);
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) **(unexecuted) (3 sheets);**
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: **Transmittal Letter (2 sheets in duplicate); PCT Request (Form PCT/RO/101) (4 sheets); PCT International Published Application (WO 99/41385) (with International Search Report attached) (149 sheets); Transmittal Letter for Diskette Containing Sequence Listing (2 sheets) along with Sequence Listing (35 sheets); Check (#033124)(\$1662); Certificate of Express Mailing (1 sheet); and Return Postcard.**

U.S. APPLICATION NO. (if known, see 37 CFR 1.492(e))

INTERNATIONAL APPLICATION NO.
PCT/US99/02974ATTORNEY'S DOCKET NO.
CPI-042CPPC

09/403075

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) .(a/o November 1, 1999):**

Search Report has been prepared by the EPO or JPO.....\$840
 International preliminary examination fee paid to
 USPTO (37 CFR 1.482).....\$670
 No international preliminary examination fee paid to
 USPTO (37 CFR 1.482) but international search fee
 paid to USPTO (37 CFR 1.445(a)(2)).....\$760
 Neither international preliminary examination fee
 (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2))
 paid to USPTO.....\$970
 International preliminary examination fee paid to
 USPTO (37 CFR 1.482) and all claims satisfied provisions
 of PCT Article 33(2)-(4).....\$96

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$840

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30
 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$--

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	67 -20 =	47	X \$18.00	\$846	
Independent claims	24 -3 =	21	X \$78.00	\$1638	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 260.00	\$--	
TOTAL OF ABOVE CALCULATIONS =				\$3324	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (Enclosed)				\$1662	
SUBTOTAL =				\$1662	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$--	
TOTAL NATIONAL FEE =				\$1662	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$--	
TOTAL FEES ENCLOSED =				\$1662	
				Amount to be refunded	\$
				charged	\$

- a. ☒ A check (#033124) in the amount of \$1662 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Giulio A. DeConti, Jr., Esq.
LAHIVE & COCKFIELD, LLP
 28 State Street
 Boston, Massachusetts 02109
 United States of America
 (617)227-7400
 Date: 12 October 1999

SIGNATURE

Peter C. Lauro

NAME

32,360

REGISTRATION NUMBER

420 Rec'd PCT/PTO 1 2 OCT 1999

In re the
application of: **Gary L. JOHNSON**

International Application No.: **PCT/US99/02974**

International Filing Date: **12 February 1999**

U.S. Serial No.: **Not yet assigned**

Filed: **Herewith**

For: **MEKK1 PROTEINS AND FRAGMENTS
THEREOF FOR USE IN REGULATING
APOPTOSIS**

Attorney Docket No.: **CPI-042CPUS**

Assistant Commissioner for Patents
BOX PCT
Washington, D.C. 20231

Certification Under 37 CFR 1.10

I hereby certify that the attached:

Transmittal Letter (2 sheets in duplicate); Declaration, Petition and Power of Attorney (unexecuted) (3 sheets); Verified Statement Claiming Small Entity Status (unexecuted) (1 sheet); Application as filed (82 sheets and 25 sheets drawings); PCT Request (Form PCT/RO/101) (4 sheets); PCT International Published Application (WO 99/41385) (with International Search Report attached) (149 sheets); Transmittal Letter for Diskette Containing Sequence Listing (2 sheets) along with Sequence Listing (35 sheets); Certificate of Express Mailing (1 sheet); Check (#033124) in the amount of \$1662; and Return Postcard are being deposited by me with the United States Postal Service "Express Mail Post Office to Addressee" service, Mailing Label No. **EL 263 573 005 US**, under 37 CFR 1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231.

Date: 12 October 1999

Name: Nelson F. Barros

Signature: Nelson Barros